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May 27, 2008

The Hon. Phyllis J. Hamilton
Judge of the District Court
Northern District of California
450 Golden Gate Avenue
San Francisco, CA 94102

Re: *Harris et al v. Kiddie Kands, Inc*
USDC Case No.: C08-00852 (PJH)

Dear Judge Hamilton,

The counsel and parties to this class action litigation request an assignment to a magistrate judge to assist us to conclude a settlement. The counsel and parties believed the case had settled and so informed this Court on April 28th. Regrettably, the settlement has reached an impasse and the parties request assignment to a magistrate for a settlement conference at the earliest opportunity. The counsel and parties also request that a motion to remand presently set for June 25th and an initial Case Management Conference set for July 10th be continued until after the settlement conference.

Since this action was removed to this Court, the parties have actively negotiated. We have stipulated to 3 brief continuances of the motion to remand and 2 continuances of the initial Case Management Conference to allow us to conduct these negotiations. We have enclosed a stipulation and proposed order should the Court grant our request.

Very truly yours,

/s/

Jacqueline deSouza

cc. Randall Crane, counsel for Plaintiffs
Michael Adams, counsel for Plaintiffs

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Attorneys for Defendant(s):
RWS ENTERPRISES WHICH WILL DO BUSINESS
IN CALIFORNIA AS KIDDIE KANDIDS, INC

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JACQUELYN HARRIS, LORA MOTE, and
COURTNEY COLIANNA, on behalf of
themselves and all others similarly situated,

Plaintiffs,

vs.

RWS ENTERPRISES WHICH WILL DO
BUSINESS IN CALIFORNIA AS KIDDIE
KANDIDS, INC, and DOES 1 through 50,
inclusive,

Defendants.

Case No. C 08-00852 PJH

**STIPULATION OF THE PARTIES AND
[PROPOSED] ORDER RE:
CONTINUANCE OF PLAINTIFFS'
MOTION TO REMAND, AND CASE
MANAGEMENT CONFERENCE**

Complaint Filed: January 4, 2008

The parties are engaged in settlement discussions and request an assignment to a magistrate judge to conduct a settlement conference at the earliest possible available date. The parties wish to avoid unnecessary expenditure of time and costs prior to the settlement conference and stipulate and agree to continue Plaintiffs' Motion to Remand this Action to State Court and initial Case Management Conference until after the settlement conference is conducted and a proposal for class settlement can be submitted to this Court.

Thus, pursuant to Northern District Local Rules, rule 6.2 and 7.12, the parties, by their attorneys of record, stipulate as follows:

- (1) Plaintiffs' Motion to Remand presently set for June 25, 2008 be continued to _____ at 9:00 a.m., and that the deadlines for filing Defendant's opposition and Plaintiffs' reply papers be calculated, in accordance with Federal Rules of Civil Procedure, from the continued hearing date; and,
- (2) The initial Case Management Conference be continued from July 10, 2008, at 2:30 p.m. to _____, 2008, at 2:30 p.m. The parties will comply with Federal Rules of Civil Procedure, rule 26 subdivision (f).

The parties have stipulated and obtained this Court's prior consent to two continuances of Plaintiffs' Motion to Remand, and one continuance of the initial Case Management Conference.

IT IS SO STIPULATED:

DATED: May 27, 2008

DESOUZA LAW OFFICES
a professional corporation

/s/
By: Jacqueline deSouza
Jacqueline deSouza
Attorneys for Defendant
RWS ENTERPRISES WHICH WILL DO
BUSINESS IN CALIFORNIA AS KIDDIE
KANDIDS, INC.

1 DATED: May 27, 2008

LAW OFFICES OF RANDALL CRANE

2 _____
/s/

3 By: Randall Crane

4 Randall Crane

5 Attorneys for Plaintiffs

6 JACQUELYN HARRIS, LORA MOTE, and

7 COURTNEY COLIANNA, on behalf of

8 themselves and all others similarly situated.

9 Pursuant to the Parties' stipulation and Good Cause Appearing, this Court GRANTS the
10 Parties' request for a continuance of Plaintiffs' Motion to Remand. The Plaintiffs' Motion shall be
11 heard on _____, 2008, at 9:00 am in Department 17 of this Court. Defendant's
12 opposition and Plaintiffs' reply shall be calendared from the continued hearing date in accordance with
13 the Federal Rules of Civil Procedure. The initial Case Management Conference is continued to
14 _____, 2008, at 2:30 p.m., in Department 17.

15 IT IS SO ORDERED:

16 DATED: May __, 2008

17 By: _____

18 The Hon. Phyllis J. Hamilton

19 Judge of the United States District Court

20 Northern District of California